

CONGRESS OF THE PHILIPPINES
FIFTEENTH CONGRESS
First Regular Session

HOUSE OF REPRESENTATIVES

House Bill No. 4234

Introduced by REP. MARK A. VILLAR

EXPLANATORY NOTE

It is a famous adage that *for evil to triumph, it is enough for good men to do nothing*. This saying is more relevant at present considering the strings of criminality that besiege our nation.

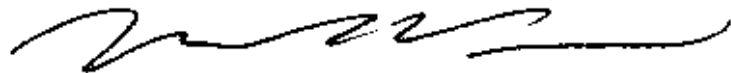
More often than not, citizens who witness crimes choose to remain silent for fear of reprisal and/or because of anticipation of hardships in their personal life as an effect of any disclosure to the authorities. The anticipation of leaving the comfort of their private life by making their identity and other information public without any incentive for them or their family is dreadful. Mere altruistic feeling for the society may not be enough to compensate for the sudden and drastic change in their lives if they choose to stand as witness against criminals.

Hence, to negate the fear of reprisal, there is a need to institutionalize a system which will encourage the citizenry to efficiently provide information relating to crimes without the need to divulge their identity and with the assurance from the government that the information and their identity will be treated with utmost confidentiality. Moreover, there is a need to give informants a tangible recognition of the heroic deed.

The use of modern technology could be an efficient and convenient tool to provide confidential information to law enforcement agencies. Cellular phones and other portable or recording devices could capture images and video footages, which could be sent to the proper authorities at an instant. Considering their portability and accessibility to Filipinos, portable video and other recording device could be an effective tool against criminality.

Hence, this Bill seeks to encourage citizens to use their cellular phones, digital cameras and other portable or recording devices to take footages or photos of felonies or crimes by ensuring utmost confidentiality of their identity and other information, and giving a tangible recognition of their contribution to the society through financial rewards.

It is the hope of this representation that this Bill would provide greater awareness of the role that the citizenry can play in reducing or eradicating criminality and improving the relationship between law enforcement agencies and the community, which could eventually lead to the eradication of criminality.

A handwritten signature in black ink, appearing to read 'Mark A. Villar', with a stylized, flowing script.

MARK A. VILLAR
Representative, Lone District of Las Piñas City

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House Bill No. **4234**

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**AN ACT PROVIDING FINANCIAL REWARD TO INDIVIDUALS WHO PROVIDED
RECORDED VIDEO OR PHOTOGRAPH OF FELONY OR CRIME WHICH LED OR
MATERIALLY CONTRIBUTED TO THE PROSECUTION OR CONVICTION OF THE
OFFENDER AND FOR OTHER PURPOSES**

Be it enacted by the Senate and the House of Representatives of the
Philippines in Congress assembled:

SECTION 1. *Short Title.* This Act shall be known as *Tipster Reward Program Act of 2011*.

SECTION 2. *Declaration of Policies.* It shall be the policy of the State to maintain peace and order, protect life, liberty, and property, and promote the general welfare for the enjoyment by all the people of the blessings of democracy. To this end, the State recognizes the vital role of the community in eradicating violence and criminality and shall protect and reward its citizenry who shall choose to stand up against criminality by providing vital information which could lead to the prosecution or conviction of the offender.

SECTION 3. *Coverage.* This Act shall cover individuals who shall provide photographs or video recording of grave felony or its equivalent under special laws with the corresponding information, which shall lead or materially contributed to the finding of probable cause or conviction of the suspect or accused. For purposes of this Act, the individual who shall provide the aforesaid video recording or photograph accompanied by the details thereof shall be referred to as "Tipster".

SECTION 4. *Tipster Reward Center.* There shall be a Tipster Reward Center (TRC) which shall operate under office of the Secretary of the Department of Justice (DOJ) and

shall have the appropriate and sufficient telecommunication equipment and personnel to perform its mandated functions and responsibilities. For this purpose, the DOJ-TRC shall set up secured web sites and cellular phone lines which could receive photographs or footages of felonies or crimes.

SECTION 5. Functions, Responsibility and Power of the Department of Justice- Tipster Reward Center (DOJ-TRC) The DOJ-TRC shall have the following powers and functions:

- (a) supervise, monitor and coordinate all efforts relative to the implementation and enforcement of the provisions of this Act;
- (b) investigate all disclosures made under this Act and prosecute the same when warranted;
- (c) evaluate the Tipster for coverage within this Act, and make the appropriate decision on their entitlement to the financial reward extended herein;
- (d) undertake, in coordination and cooperation with the private and public sectors, an information campaign to educate the public on the provisions and benefits of this Act;
- (e) develop plans and implement programs to further encourage Tipsters effective deterrence and/or prosecution;
- (f) control and administer, consistent with the provisions and purposes of this Act, the protection and benefits of Tipsters;
- (g) call upon, or deputize any department, bureau, office or any other government agency or public official to assist in the effective implementation and enforcement of this Act;
- (h) receive videos or photographs and the corresponding information in relation thereto of the purported felony or crime;
- (i) coordinate directly with the appropriate law enforcement agency government agency for the purpose of relaying the information gathered and ensuring that the said information, videos or photographs are verified and/or properly attended to; and
- (j) compel the appropriate government agency to render a report on the subject matter of the said information, video or photograph and on the actions that they have taken on the same.

SECTION 6. Confidentiality. - Except insofar as allowed by this Act, during and after this disclosure, and throughout and after any proceeding taken thereafter, the Tipster or informant is entitled to absolute confidentiality as to:

- (a) his identity;
- (b) the subject matter of his disclosure; and
- (c) the person to whom such disclosure was made.

There shall be no such confidentiality in his/her identity if the Tipster makes a public disclosure of the felony or offense unless notwithstanding such public disclosure, he has taken means and measures obviously intended to preserve his anonymity.

The DOJ-TRC shall ensure and take the appropriate measures to ensure the confidentiality of the above-enumerated details. Tipster's personal appearance to the DOJ-TRC, courts, government agencies or quasi-judicial body for the purpose of submitting the said video or photograph or giving any information relating to photographs or footages of felonies or crimes shall not be required for the purpose of availing the benefits of this Act.

SECTION 7. Confidential Information. - No person to whom a disclosure has been made or referred shall divulge any information that may identify or tend to identify a Tipster or reveal the subject matter of such disclosure, except only as when he consents in writing prior to a disclosure of information.

-The prohibition on disclosure under this Section shall apply to any person who has become privy to any confidential information, whether officially or by other means.

SECTION 8. Testimony and execution of sworn statement. The testimony of a Tipster in court or other quasi-judicial body or the execution of sworn statement relating to the video or photographs shall not be necessary for the entitlement or enjoyment of the benefits of this Act.

SECTION 9. Financial Reward. Any individual who shall provide photographs or video recording of a felony or crime constituting grave felony or its equivalent under special laws shall be entitled to a financial reward of One Hundred Thousand Pesos (PhP 100,000.00). *Provided that* the information video or photograph-

- (a) can be substantially corroborated on its material points;
- (b) had been subjected to the verification by the DOJ-TRC;
- (c) led or materially contributed to the finding of probable cause or conviction of the suspect or accused;
- (d) the Tipster or informant is not an employee or agent of any law enforcement agency or a government employee who by virtue of his duties and responsibilities could reasonably have access to information, photographs and video of any felony or crime; and
- (e) the Tipster should not, in any manner, took part either as an accomplice or accessory or conspired with those appearing in the video or photograph of the felony or crime.

SECTION 10. Violation of Confidentiality.-- Any person who violates the protection of confidentiality of a protected disclosure under Sections 6 and 7 of this Act, shall suffer the penalty of not more than six (6) years but not less than two (2) years with an accessory penalty of temporary absolute disqualification for public office in case of a public officer or employee, shall be civilly liable to indemnify the informant in such amount of damages as may be awarded and deemed reasonable by a competent court.

SECTION 11. False and Misleading Information, Video or Photographs. - Any person who deliberately and voluntarily gives false or misleading information, video or

photograph or acted as accessory or accomplice or conspired to commit a crime or felony for the purpose of availing the benefits provided for in this Act shall, in addition to imprisonment of not more than three (3) years but not less than one (1) year and shall also suffer the penalty of perpetual absolute disqualification from holding public office in case of public officer or employee, in addition to other criminal and civil liability he may incur under existing laws.

SECTION 12. *Implementing Rules and Regulations.* The Secretary of Justice shall formulate for the Implementing Rules and Regulations of this Act.

• **SECTION 13. *Admission to the Witness Protection Program.*** The benefits provided under the provisions of this Act shall be without prejudice to the benefits provided under Republic Act 6981 or Witness Protection Security and Benefit Program and For Other Purposes if the Tipster decides to apply and qualify under the said program.

SECTION 14. *Appropriations.* The amount necessary for the implementation of this Act shall be included in the budgetary allocation of the DOJ in the annual General Appropriations Act.

SECTION 15. All laws, rules and regulations inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 16. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved.